

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

1 Valuation of Security **0** Assumption of Executory Contract or Unexpired Lease **2** Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 16-15849
Joseph Drumm Judge: Poslusny

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 7/27/20
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☒ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JR Initial Debtor: JD Initial Co-Debtor:

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 690.00 per month to the Chapter 13 Trustee, starting on August 1, 2020 for approximately 8 more (of 60) months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,150 PTD+1000pend
DOMESTIC SUPPORT OBLIGATION		
Camden County Probation, through Schuylkill County Domestic Relations Section for Audrey Codey		any pre-petition arrears or post-petition child support paid outside plan pursuant to State Court Order

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Servicing Company	mortgage	\$17,684.28 per POC (\$15,992.73 PTD; \$1,691.55 remaining)	NA	\$17,684.28 per POC (\$15,992.73 PTD; \$1,691.55 remaining)	per note
LaCascata HOA	homeowner's association	\$200.00 (\$180.86 PTD \$19.14 remaining)		\$200.00 (\$180.86 PTD \$19.14 remaining)	

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Santander	2013 Nissan Altima	\$7,050.05	\$14,313.26 per POC

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☐ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
Raymour & Flanigan	bedroom set; Debtor no longer has the furniture	\$1,354.65	\$0	none	\$0	100%

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Santander	2013 Nissan Altima	\$27,438	\$11,500 at time of filing; \$7,050.05 at present	\$1,206.17 remaining on previously-confirmed cramdown	balance

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Joseph J. Rogers, Esquire
- 3) _____
- 4) _____

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 3/28/2016.

Explain below **why** the plan is being modified:

2013 Nissan Altima was totalled in an accident. Secured loan balance was modified by prior confirmation order; debtor now surrenders vehicle.

Explain below **how** the plan is being modified:

2013 Nissan Altima is surrendered in part 4e

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 8/22/2020

/S/ Joseph Drumm
Debtor

Date: _____

/S/
Joint Debtor

Date: 9/2/2020

/S/ Joseph J. Rogers
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Joseph N. Drumm
DebtorCase No. 16-15849-JNP
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 40

Date Rcvd: Sep 04, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 06, 2020.

db +Joseph N. Drumm, 42 LaCascata, Clementon, NJ 08021-4903
cr +DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE F, Phelan Hallinan & Schmieg, PC,
400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437

516085023 +ASC, PO box 10388, Des Moines, IA 50306-0388
516085021 +Alliedinterstate LLC, PO Box 4000, Warrentown, VA 20188-4000
516085022 Allstate, PO Box 3589, Akron, OH 44309-3589
516085024 +Audrey Codey, c/o Camden County Probation, PO Box 8107, Cherry Hill, NJ 08002-0107
516163129 +Bank of America N.A., P O Box 982284, El Paso, TX 79998-2284
516085025 +Barclays Bank Delaware, Po Box 8801, Wilmington, DE 19899-8801
516085026 Camden Cty Probation, PO Box 8107, Cherry Hill, NJ 08002-0107
516285449 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
516085029 +Comm Of PA Bureau of Lotteries, Linebarger Goggan Blair & Sampson LLP, PO Box 90128,
Harrisburg, PA 17109-0128

516085030 +Credit First/CFNA, Bk13 Credit Operations, Po Box 818011, Cleveland, OH 44181-8011
516308259 DEUTSCHE BANK NATIONAL TRUST COMPANY, c/o AMERICA'S SERVICING COMPANY,
DEFAULT DOCUMENT PROCESSING, N9286-01Y, 1000 BLUE GENTIAN ROAD, EAGAN, MN 55121-7700

516085032 +Deutsche Bank, 60 Wall Street, New York, NY 10005-2858
517676976 +Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC,
8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

516085036 LaCascata Homeowners Association, 320 Via Cascata Dr, Clementon, NJ 08021
516085039 +Phelan Hallinan Diamond & Jones, PC, 400 Fellowship Road Suite 100,
Mt. Laurel, NJ 08054-3437

516085040 +Raymore & Flanigan, Attn: Legal Dept, 7248 Morgan Rd, Liverpool, NY 13090-4535
516125492 +SANTANDER CONSUMER USA, INC., P.O. BOX 560284, DALLAS, TX 75356-0284
516085041 +Santander Consumer USA, Po Box 961245, Fort Worth, TX 76161-0244
516085042 +Schuylkill Co Domestic Rel Section, 401 North Second Street, PO Box 1192,
Pottsville, PA 17901-7192

516664104 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,
Highlands Ranch, Colorado 80129-2386

516664105 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,
Highlands Ranch, Colorado 80129, Specialized Loan Servicing LLC,
8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

516085045 +Target, C/O Financial & Retail Services, Mailstop BT PO Box 9475,
Minneapolis, MN 55440-9475

516241296 Wells Fargo Bank NA, PO Box 10438, Des Moines IA 50306-0438
516085037 +lowtestosteronecom, Transworld Systems Inc., 507 Prudential Road, Horsham, PA 19044-2308

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usan.j.njbankr@usdoj.gov Sep 04 2020 23:52:55 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 04 2020 23:52:52 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235

516085027 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 04 2020 23:57:33 Capital One,
Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285

516085028 +E-mail/Text: bankruptcy@philapark.org Sep 04 2020 23:53:30 City Of Philadelphia,
PO Box 41818, Philadelphia, PA 19101-1818

516085033 E-mail/Text: data_processing@fin-rec.com Sep 04 2020 23:52:35 Financial Recovery Services,
PO Box 385908, Minneapolis, MN 55438-5908

516085035 +E-mail/Text: PBNCNotifications@perituservices.com Sep 04 2020 23:52:06 Kohls/Capital One,
Po Box 3120, Milwaukee, WI 53201-3120

516259187 E-mail/PDF: MerrickBKNotifications@Resurgent.com Sep 04 2020 23:56:35 MERRICK BANK,
Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368

516191154 +E-mail/Text: bankruptcydpt@mcsmc.com Sep 04 2020 23:52:52 MIDLAND FUNDING LLC,
PO Box 2011, Warren, MI 48090-2011

516085038 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Sep 04 2020 23:56:36
Merrick Bank/Geico Card, Po Box 23356, Pittsburg, PA 15222-6356

516307464 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 04 2020 23:57:37
Portfolio Recovery Associates, LLC, C/O Capital One Bank (usa), N.a., POB 41067,
Norfolk VA 23541

516307722 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 04 2020 23:56:41
Portfolio Recovery Associates, LLC, c/o Barclaycard, POB 41067, Norfolk VA 23541

516085043 E-mail/PDF: gecsedirecoverycorp.com Sep 04 2020 23:56:32 Sleepys, PO Box 960061,
Orlando, FL 32896-0061

516085044 +E-mail/PDF: gecsedirecoverycorp.com Sep 04 2020 23:57:25 Synchrony Bank/Lowes,
Attn: Bankruptcy, Po Box 103104, Roswell, GA 30076-9104

516277484 +E-mail/Text: bncmail@w-legal.com Sep 04 2020 23:53:05 TD Bank USA, N.A.,
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

TOTAL: 14

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 40

Date Rcvd: Sep 04, 2020

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516085031 ##+Debt Recovery Solution, 900 Merchants Conc, Westbury, NY 11590-5142
516085034 ##+First Data, 1307 Walt Whitman Rd, Melville, NY 11747-3011

TOTALS: 0, * 0, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 06, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 3, 2020 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR
MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006- HE3 nj.bkecf@fedphe.com
Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for
Morgan Stanley ABS Capital I Inc. Trust 2006-HE3 dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Joseph J. Rogers on behalf of Debtor Joseph N. Drumm jjresq@comcast.net, jjrogers0507@gmail.com
Raymond Shockley, Jr on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com

TOTAL: 5